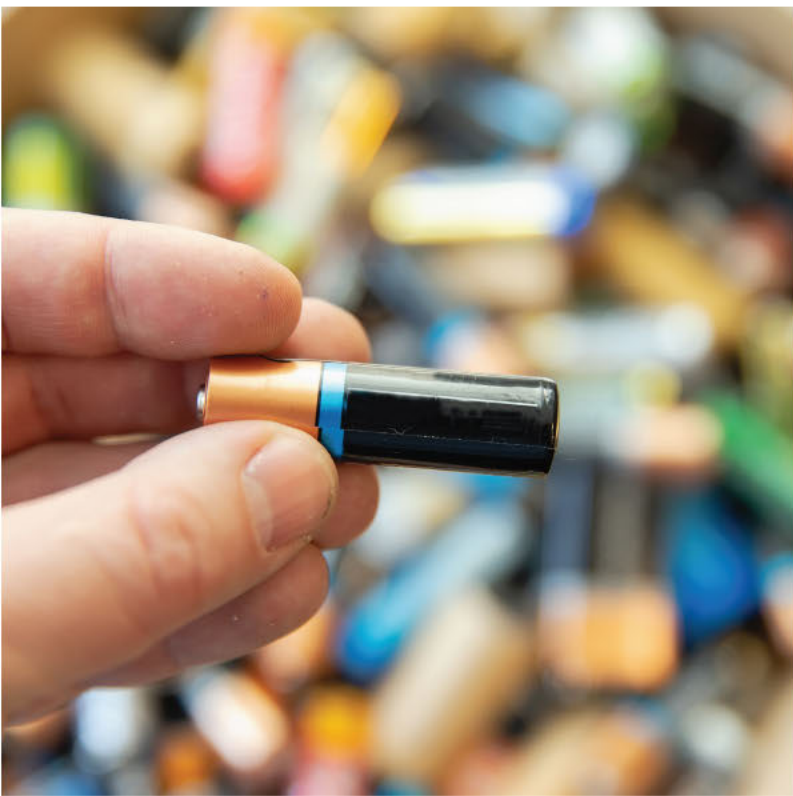


# COHENMILSTEIN

Powerful Advocates. Meaningful Results.



**"The most effective law firm in the United States for lawsuits with a strong social and political component."**

**Inside Counsel**

**"Class action powerhouse."**

**Forbes**

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## | About the Firm

We are trailblazers in plaintiff-side and class action litigation, handling groundbreaking cases resulting in landmark decisions involving antitrust, securities, consumer rights, civil rights, and other far-reaching matters.

We fight corporate abuse by pursuing litigation on behalf of individuals, investors, whistleblowers, small businesses, and other institutions in lawsuits that have raised significant and often novel legal issues.

With more than 100 attorneys in 10 practice areas in eight offices across the country, including Boston, Chicago, Minneapolis, New York, Palm Beach Gardens, Philadelphia, Raleigh, and Washington, we are recognized as one of the largest and most diversified plaintiffs' firms in the country.

We regularly litigate complex matters across a wide range of practice areas:

- Antitrust
- Civil Rights & Employment
- Complex Tort Litigation
- Consumer Protection
- Employee Benefits / ERISA
- Ethics and Fiduciary Counseling
- Human Rights
- Public Client
- Securities Litigation & Investor Protection
- Whistleblower/False Claims Act

In 2023, Law360 recognized three of our practices as a "2022 Practice Group of the Year" in the areas of employee benefits, competition, and securities law. In 2022, *The National Law Journal* named the firm "Consumer Protection Law Firm of the Year" and "Discrimination Law Firm of the Year." *Chambers USA* and *Legal 500* have also consistently recognized Cohen Milstein as a "Top Tier Firm" and "Leading Firm" in antitrust, securities litigation, product liability, mass torts, and class actions. The firm has also been named among "The Best Law Firms for Female Attorneys" in Law360's 2022 "Glass Ceiling Report."

Our attorneys, individually, are also heralded as among the top in their practices by peer-reviewed surveys and industry organizations, such as American Antitrust Institute, *The American Lawyer*, *Benchmark Litigation*, *Chambers USA*, *Global Competition Review*, *Law360*, *Lawdragon*, *Legal 500*, and *The National Law Journal*.

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## | Antitrust

We are widely respected as one of the preeminent plaintiffs' antitrust class action practices in the United States. We focus predominantly on national antitrust class actions, including litigating (and winning) class action jury trials and appeals.

Our class action experience spans all industries, including agriculture, automotive parts, chemicals, oil and gas, financial services, health care, high tech, media and entertainment, pharmaceuticals, and many others.

Our clients include pension funds, businesses, and individuals. We gladly take on – and defeat – formidable opponents, which have included such giants as Dow Chemical, Apple, and The Walt Disney Company.

### Setting Precedents

Our work has shaped the antitrust landscape and helped change industries.



**Novel Antitrust Labor Litigation** – We have spearheaded numerous cases advocating for workers whose employers have conspired to suppress their wages in violation of antitrust laws, including animation workers, poultry workers, and nurses.



**Ground-Breaking Securities Markets Disputes** – We are one of two law firms leading three ground-breaking antitrust lawsuits involving collusion by many of the world's biggest banks in three of the world's largest securities markets, including Interest Rate Swaps, Treasuries, and Stock Lending.



**Cutting-Edge Disputes in Tech** – Our work against Apple, Google, Pixar, and other companies in the tech sector have helped mitigate uncontrolled growth and collusive behavior in this dynamic and quickly evolving industry.

### Our People

Most of our lawyers served as judicial law clerks. Some served in the Department of Justice and other government agencies. Others bring decades of experience at top defense firms.





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## | Judicial Recognition for Antitrust

We have been honored to receive enthusiastic praise from courts across the country for our work in antitrust cases.

*"I can't imagine attorneys litigating a case more rigorously than you all did in this case. ... The level of representation of all parties in terms of the sophistication of counsel, was, in my view, of the highest levels. I can't image a case in which there was really a higher quality of representation across the board than this one."*

~ **The Honorable William E. Smith, U.S. District Court for the District of Rhode Island** (*In re Loestrin 24 Fe Antitrust Litigation*, August 27, 2020 final approval hearing.)

*"This is a substantial recovery that has the deterrent effect that class actions are supposed to have, and I think it was done because we had really good Plaintiffs' Lawyers in the case running it."*

~ **The Honorable Brian M. Cogan, U.S. District Court for the Eastern District of New York** (*In re Dental Supplies Antitrust Litigation*, June 24, 2019 final approval hearing.)

*"[C]ounsel achieved incredible success on the merits of the claims. . . . Liability on these claims was far from certain, and thus the case presented a great deal of risk, as counsel was required to advance all expenses and attorney time to litigate a hard fought case against highly experienced opposing counsel hired by a defendant with ample resources. . . . In almost 25 years of service on the bench, this Court has not experienced a more remarkable result."*

~ **The Honorable John W. Lungstrum, U.S. District Court for the District of Kansas** (*In re Urethanes Antitrust Litigation*, July 29, 2016 final approval hearing.)

*"The exceptional recovery for class members weighs heavily in favor of a greater-than-benchmark award of attorney fees for Plaintiffs' Counsel . . . . This is not the first time the Court has discussed Plaintiffs' Counsels' skill at litigating complex class action cases such as this. The Court's position on Class Counsel has not changed. Suffice to say, the Court takes a favorable view of the breadth and depth of experience of Plaintiffs' Counsel, recognizes the extraordinary efforts they made on behalf of the class, and (as stated above) finds the settlement amount extraordinary."*

~ **The Honorable Anthony W. Ishii, U.S. District Court for the Eastern District of California** (*Carlin v. DairyAmerica Inc.*, May 8, 2019 final approval hearing.)

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*"[Plaintiffs counsel] undertook serious risk in this case throughout the litigation. The lawyering on both sides — but for now I'm just talking to you [Plaintiffs Counsel], because your money was on the line — was excellent."*

*"This case involved complicated and novel legal issues."*

*"It has been a pleasure to have read what you write and listen to what you say. For me, this was a fascinating case and it was very well-litigated by all."*

~ **The Honorable William H. Orrick, U.S. District Court for the Northern District of California** (*In re Lidoderm Antitrust Litigation*, September 6, 2018 final approval hearing.)

*"Few cases with no government action, or investigation, result in class settlements as large as this one."*

*[Cohen Milstein] was "imaginative" in its successful bid for class certification and had done "outstanding work" overall.*

*"I am personally knowledgeable of the high degree of [Plaintiffs counsel] competence" . . . [they have a] "sophisticated and highly professional approach."*

~ **The Honorable Michael M. Baylson, U.S. District Court for the Eastern District of Pennsylvania** (*In re Domestic Drywall Antitrust Litigation*, July 16, 2018 final approval hearing.)

*"I think the enforcement of our Nation's antitrust laws is vitally important to the vibrancy of our economy. Few firms are equipped with the resources and skills to pursue litigation of this complexity and against such well-funded defendants. The skill with which plaintiffs' counsel acted in this case benefited the class and I would say benefited the American economic system as a whole. That is the importance of antitrust litigation I think."*

*[Counsel] "has been excellent and have been of great assistance to the Court."*

~ **The Honorable Denise L. Cote, U.S. District Court for the Southern District of New York** (*In Re: Electronic Books Antitrust Litigation*, December 8, 2014 final approval hearing.)





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## | Representative Antitrust Matters

We have recovered billions of dollars in damages for injured plaintiffs in some of the nation's most complex antitrust lawsuits

- ***In re Urethanes Antitrust Litigation (D. Kan.):*** We served as Co-Lead Counsel on behalf of a class of direct purchasers of chemicals used to make many everyday products, from mattress foam to carpet cushion, who were overcharged because of a nationwide price-fixing conspiracy. We secured the largest trial verdict ever in a price-fixing case (\$1.06 billion – after trebling and settlement offsets). Dow Chemical and other leading chemical producers ultimately settled, with combined total settlements of \$974 million.

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- ***Animation Workers Litigation (N.D. Cal.):*** We served as Co-Lead Counsel representing a class of animation and visual effects workers who alleged that Pixar, Lucasfilm, DreamWorks, Disney and other studios conspired to suppress their pay primarily through no-poach agreements. We secured \$168.5 million in total settlements, yielding average awards of more than \$14,000 per class member in this novel “no-poach” pay suppression class action.

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- ***Sutter Health Antitrust Litigation (San Fran. Cnty., Cal.):*** On August 27, 2021, the Court granted final approval of a \$575 million eve-of-trial settlement, which included significant injunctive relief, in this closely watched antitrust class action against Sutter Health, one of the largest healthcare providers in California. Plaintiffs alleged that Sutter restrained hospital competition through anticompetitive contracting practices with insurance companies. We represented a certified class of self-insured employers and union trust funds. In 2018, California's attorney general joined the suit.

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- ***Electronic Books Antitrust Litigation (S.D.N.Y.):*** We secured \$560 million in total settlements against Apple and other e-book developers. The settlements resolved damages claims brought by a class of eBook purchasers and attorneys general from 33 U.S. states and territories.

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- ***In re Ranbaxy Generic Drug Application Antitrust Litigation (D. Mass.):*** On September 19, 2022, the Court granted final approval of a \$485 million global settlement, of which a historic 70% (\$340 million) was achieved on behalf of a certified Direct Purchaser class, in this antitrust and federal RICO case. Plaintiffs alleged that Ranbaxy manipulated the U.S. Food and Drug Administration's generic drug approval process to block competitors from coming to market with less expensive generic versions of their drugs, thereby forcing purchasers to pay supracompetitive prices for their drugs – Diovan, Valcyte and Nexium. We represented the Direct Purchaser class.

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- ***Jien, et al. v. Perdue Farms, Inc., et al. (D. Md.):*** Since July 20, 2021, the Court has preliminarily approved more than \$195.25 million in settlements against eight of the nation's top 12 largest poultry producers, including Perdue Farms Inc., Tyson Foods Inc., and others. Plaintiffs allege that the top poultry processors conspired to depress the wages of poultry processing plant workers in violation of antitrust law. The case is at the vanguard of the movement in antitrust law to protect workers. It is also based on an independent, private factual investigation. We serve as Interim Co-Lead Counsel.

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- ***In re Broiler Chicken Antitrust Litigation (N.D. Ill.):*** We represent a class of end-user consumers of broiler chicken who allege that the nation's top poultry producers, including Perdue Farms and Tyson Foods, agreed to restrict the supply of broilers, among other things, thereby raising their price to consumers. On December 20, 2021, the Court granted final approval of settlements totaling \$181 million with six of the defendants. On May 27, 2022, the Court granted class certification to the classes of direct purchasers, indirect purchasers and end-user consumers. We serve as Co-Lead Counsel.

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- ***In re Domestic Drywall Antitrust Litigation (E.D. Pa.):*** We served as Co-Lead Counsel for a class of direct purchasers of drywall against drywall manufacturers for price-fixing. The Court approved settlements that total more than \$190 million. The Court commented on counsel's "outstanding work," and noted that plaintiffs' counsel had a "sophisticated and highly professional approach." It complimented the attorneys as "highly skilled" and noted that their performance on class action issues was "imaginative." It also stated, "Few cases with no government action, or investigation, result in class settlements as large as this one."

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- In re Plasma-Derivative Protein Therapies Antitrust Litigation (N.D. Ill.):*** After four years of litigation, in October 2013, CSL Limited, CSL Behring LLC, CSL Plasma, Inc. (collectively, "CSL"), and the Plasma Protein Therapeutics Association ("PPTA") agreed to pay \$64 million dollars to settle a lawsuit brought by the University of Utah Hospital and other health care providers alleging that CSL, the PPTA, and Baxter agreed to restrict the supply of immunoglobulin and albumin and thereby increase the prices of those therapies. Two months later, Baxter International Inc. and Baxter Healthcare Corp. (collectively "Baxter") agreed to pay an additional \$64 million to settle these claims – bringing the total recovery to the class to \$128 million.
- 
- Lidoderm Antitrust Litigation (N.D. Cal.):*** Plaintiffs alleged that manufacturers of the Lidoderm patch, paid Watson Pharmaceuticals to delay its generic launch. The case settled on the eve of trial and on September 20, 2018, plaintiffs obtained final approval of a \$104.75 million settlement – more than 40% of plaintiffs' best-case damages estimate and the largest end-payor settlement in a federal generic suppression case in over a decade.
- 
- Iowa Public Employees Retirement System et al. v. Bank of America Corp. (S.D.N.Y.):*** On June 30, 2022, the Court recommended the certification of a class of investors in this ground-breaking anticompetitive market manipulation class action, in which plaintiffs allege collusion among six of the world's largest investment banks to prevent the modernization of the \$1.7 trillion stock loan market – a critical component of a strong economy. Plaintiffs allege that the scheme was hatched by the banks to preserve their market dominance. On February 25, 2022, the Court granted preliminary approval of an \$81 million settlement against Credit Suisse. Litigation against the other defendants continues.
- 
- In Re: Interest Rate Swaps Antitrust Litigation (S.D.N.Y.):*** On February 11, 2022, we filed a motion for preliminary approval of a \$25 million cash settlement against Credit Suisse, one of 12 defendants, in this groundbreaking anticompetitive market manipulation class action, in which plaintiffs allege that 12 Wall Street banks, including J.P. Morgan Chase & Co, Citigroup, Goldman Sachs, Credit Suisse, Bank of America, with conspiring to engineer and maintain a collusive and anti-competitive stranglehold over the interest rate swaps (IRS)





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market – one of the world's biggest financial markets – in violation of federal antitrust laws. We serve as Interim Co-Lead Counsel.

- 
- ***Cung Le, et al v. Zuffa, LLC, d/b/a Ultimate Fighting Championship and UFC (D. Nev.)***: We are Co-Lead Counsel in this compensation suppression class action on behalf of UFC fighters who allege that UFC unlawfully monopolized the mixed martial art (MMA) market (2010 – 2017) by, among other things, locking up fighters with exclusive contracts and acquiring MMA rivals. In September 2020, the Court stated that it would grant class certification, but has yet to issue an order. On June 24, 2021, a second class action was filed against UFC alleging the same claims (July 1, 2017 – present). On July 22, 2021, Bloomberg aired an investigative report on the matter.
- 
- ***Moehrl v. National Association of Realtors (N.D. Ill.)***: We represent home sellers in a proprietary class action against National Association of Realtors (NAR) and the four largest national real estate broker franchisors for conspiring to require home sellers to pay home buyer brokers fees – and at an inflated rate – in violation of antitrust law. Plaintiffs allege that the defendants' conspiracy revolves around NAR's mandatory requirement that sellers make a buyer broker commission offer when listing their home on a Multiple Listing Service. In 2019, the U.S. Department of Justice filed a statement of interest in the lawsuit. On March 29, 2023, the Court granted class certification to two classes, specifically the damages and injunctive relief classes.
- 
- ***In Re: Da Vinci Surgical Robot Antitrust Litigation (N.D. Cal.)***: On January 3, 2022, the Court denied Defendant's motion to dismiss in its entirety in this consolidated antitrust class action against Intuitive Surgical, Inc. Plaintiffs allege that Intuitive engages in an anticompetitive scheme pursuant to which it ties the purchase or lease of its da Vinci surgical robot to the additional purchase of da Vinci maintenance and repair services, including the repair and replacement of the surgical system's EndoWrists—a violation of Sections 1 and 2 of the Sherman Act. We serve as Interim Co-Lead Counsel.

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## | Accolades for Antitrust

**Practice Achievement:** Our Antitrust practice is recognized as among the most preeminent in the country:

Law 360 **“Practice Group of the Year - Competition”** (2016, 2022)

Chambers USA **“Antitrust: Plaintiffs - Nationwide”** (2020 – 2022)

Legal 500 **“Leading Plaintiff Class Action Antitrust Firm”** (2010 – 2022)

The National Law Journal **“Finalist - Elite Trial Lawyers - Antitrust”** (2016, 2018, 2019, 2022)

The National Law Journal **“Finalist - Elite Trial Lawyers - Pharmaceutical”** (2019, 2021)

ALM/The National Trial Lawyers **“Antitrust Law Firm of the Year”** (2020)

Law360 **“Practice Group of the Year - Life Sciences”** (2020)

The National Law Journal **“Winner - Elite Trial Lawyers - Antitrust”** (2016)

National Law Journal **Plaintiffs' Hot List** (2011 – 2013, 2015 – 2016)

Law360 **“Most Feared Plaintiffs Firm”** (2013 – 2015)

**Individual Achievement:** Our Antitrust lawyers are recognized as among the best in the industry:

GCR Who's Who Legal **“Global Thought Leaders - Competition”** (2022, 2023)

Chambers USA **“Ranked Individuals”** (2020 – 2022)

Lawdragon **“500 Leading Lawyers in America”** (2016 – 2022)

Lawdragon **“500 Leading Plaintiff Financial Lawyers”** (2019 – 2022)

GCR's Who's Who Legal **“Global Leader: Competition - Plaintiff”** (2017 – 2023)

Legal 500 **“Next Generation Lawyer”** (2017 - 2022)

Law360 **“Rising Stars”** (2018, 2020, 2022)

The National Law Journal **“Rising Stars”** (2022)

Benchmark Litigation **“40 & Under Hot List”** (2018 – 2022)

The National Law Journal **“Elite Women of the Plaintiffs Bar”** (2019, 2021)

Law360 **“Titans of the Plaintiffs Bar”** (2020)

Law360 **“MVP”** (2014, 2016, 2019)

American Antitrust Institute **“Outstanding Antitrust Litigation Achievement by a Young Lawyer”** (2018, 2019)

Legal 500 **“Hall of Fame”** (2017)

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## Daniel H. Silverman, Partner

Boston, MA

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### Practice Areas

- Antitrust

### Admissions

- District of Columbia
- Massachusetts
- New York

### Education

- Harvard Law School, J.D., *magna cum laude*, 2010
- Brown University, B.S., *magna cum laude*, Phi Beta Kappa, 2005

**Daniel H. Silverman** is a partner in Cohen Milstein's Antitrust practice, where he prosecutes class actions on behalf of consumers, small businesses, and employees in a variety of industries in courts around the country.

Mr. Silverman is highly regarded by the legal industry, economists, and academics alike for his deep engagement with economic experts and for successfully shepherding cases through class certification. In 2022, *Law360* named him a "Rising Star - Antitrust," the only plaintiff lawyer to be named, citing Mr. Silverman's keen interest in the dynamic interplay of economics, econometrics, and social science in driving antitrust law and economic justice. *The National Law Journal* also recognized him as a 2022 Elite Trial Lawyers "Rising Star of the Plaintiffs Bar."

### Among his successes, Mr. Silverman has helped litigate the following matters:

- **Domestic Drywall Antitrust Litigation (E.D. Pa.):** Co-Lead Counsel in an antitrust litigation alleging that the seven major U.S. manufacturers of drywall conspired to manipulate prices. The Court granted final approval of settlements that totaled more than \$190 million.
- **VFX/Animation Workers: In re Animation Workers Antitrust Litigation (N.D. Cal.):** Mr. Silverman represented a class of animation and visual effects workers in a lawsuit alleging that the defendants, who include Pixar, Lucasfilm Ltd. and DreamWorks Animation, secretly agreed not to solicit class members and to coordinate on compensation. The Court approved settlements with all of the defendants for a total of \$168.5 million.
- **Plasma-Derivative Protein Therapies Antitrust Litigation (N.D. Ill.):** Co-Lead Counsel for plaintiffs alleging a conspiracy to reduce the supply and increase prices of IVIG and Albumin—life-saving therapies derived from blood plasma. The lawsuit was resolved for \$128 million to compensate customers who were overcharged for these vital therapies.





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Mr. Silverman is currently involved in the following notable matters:

- ***In re Interest Rate Swaps Antitrust Litigation (S.D.N.Y.)***: Co-Lead Counsel in a class action against several of the world's largest investment banks that are alleged to have colluded with one another to crush competition in the trillion-dollar market for interest rate swaps, a type of financial derivative. The case is in active discovery.
- ***Mixed Martial Arts (MMA) Antitrust Litigation (D. Nev.)***: Co-Lead Counsel in a class action on behalf of MMA fighters alleging that Zuffa LLC – commonly known as the Ultimate Fighting Championship or "UFC" – has unlawfully monopolized the markets for promoting live professional MMA bouts and for purchasing the services of professional MMA fighters.
- ***In re Broiler Chicken Antitrust Litigation (N.D. Ill.)***: Co-Lead Counsel representing a certified class of consumers who allege that the defendants, including Perdue Farms and Tyson Foods, agreed to restrict the supply of broilers, thereby raising consumer prices. The Court approved settlements with six of the defendants for a total of \$181 million. Law360 cited plaintiffs' success in Broilers in naming Cohen Milstein a Law360 "Class Action Group of the Year" (2021).
- ***Jien v. Perdue Farms, Inc. (D. Md.)***: Interim Co-Lead Counsel representing a proposed class of poultry plant workers, in a suit alleging that the nation's largest chicken and turkey producers conspired to suppress their compensation. The Court so far has preliminarily approved settlements with four defendants for \$195.25 million and the case is in discovery with the remaining defendants.
- ***Moehrl v. National Association of Realtors (N.D. Ill.)***: Co-Lead Class Counsel representing a certified class of home sellers in litigation against the four largest national real estate services conglomerates, and their trade association. The class alleges that the defendants violated federal antitrust law by conspiring to require sellers to pay the broker representing their homes' buyer (and to do so at an inflated level).

Prior to joining the firm in 2012, Mr. Silverman served as the Executive Director of Legal Economics, LLC, a Cambridge, Massachusetts-based firm specializing in the analysis of complex economic issues related to legal issues. At Legal Economics, he supported expert economic testimony in a variety of antitrust matters involving horizontal price-fixing, mergers, and loyalty discounts in industries ranging from health care and computer hardware to live music promotion. His experience at Legal Economics provides him with unique insight into the inner workings of expert testimony in antitrust matters. In addition, Mr. Silverman has represented public sector clients before the Federal Energy Regulatory Commission, state public utility commissions, and federal appellate courts.

Mr. Silverman is a *magna cum laude* graduate of Brown University, with a B.S. in Physics, where he was elected to Phi Beta Kappa. He earned a J.D., *magna cum laude*, from Harvard Law School. In law school, he served as a Managing Editor of the *Harvard Environmental Law Review*. Mr. Silverman also served as a summer associate at the U.S. Department of Justice in the Environment and Natural Resources Division, Law and Policy Section.

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## Alison Deich, Partner

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### Practice Areas

- Antitrust

### Admissions

- District of Columbia
- Virginia

### Education

- Harvard Law School, J.D., *magna cum laude*, 2014
- University of Virginia, B.A., with highest distinction, 2010

### Clerkships & Fellowships

- Law Clerk, the Hon. Cornelia Pillard, United States Court of Appeals for the D.C. Circuit
- Law Clerk, the Hon. Katherine Polk Failla, U.S. District Court, Southern District of New York
- Law Clerk, the Hon. Goodwin Liu, California Supreme Court

**Alison Deich** is a partner in Cohen Milstein's Antitrust practice. In this role, she represents a broad range of plaintiffs in antitrust, environmental, and civil rights litigation.

Ms. Deich is highly regarded for her ability to quickly engage with economic and scientific experts. Since 2020, *Super Lawyers* has consistently recognized Ms. Deich as a "Rising Star" in the Washington, D.C. Metro Area.

### Ms. Deich is working on the following high-profile antitrust matters:

- ***Jien v. Perdue Farms, Inc. (D. Md.)***: Cohen Milstein serves as co-lead counsel, representing a proposed class of poultry plant workers, in a suit alleging that the nation's largest chicken and turkey producers conspired to suppress their wages. Since July 20, 2021, the Court has preliminarily approved settlements with six defendants for \$134.6 million. Litigation against the remaining defendants continues.
- ***In re Broiler Chicken Antitrust Litigation (N.D. Ill.)***: Cohen Milstein represents a class of broiler chicken consumers in a suit alleging that the nation's largest chicken producers, including Perdue Farms and Tyson Foods, conspired to raise the price of chicken. On December 20, 2021, the Court granted final approval of settlements with six of the defendants for a total of \$181 million. Litigation against the remaining defendants continues.

### Ms. Deich is also involved in several other high-profile matters, including:

- ***Thompson v. Trump (D.D.C.)***: The NAACP and Cohen Milstein represent members of Congress in a suit alleging that Donald J. Trump, the Proud Boys and the Oath Keepers conspired to prevent members of Congress from carrying out their duty to certify the results of the 2020 election on January 6, 2021.

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- **Cape Fear River Contaminated Water Litigation (E.D.N.C.):** Cohen Milstein serves as Interim Co-Lead Class Counsel, overseeing a putative class action against E.I. DuPont de Nemours Company and The Chemours Company for discharging toxic chemicals into the Cape Fear River—a source of drinking water for five counties in North Carolina.
- **In re Flint Water Crisis Class Action Litigation (E.D. Mich.):** Cohen Milstein is Interim Co-Lead Class Counsel for a group of related class action lawsuits filed in federal court on behalf of Flint, Michigan residents and businesses harmed by exposure to toxic levels of lead and other hazards from the city's drinking water. On November 10, 2021, the Court granted final approval of a landmark \$626.25 million settlement against the State of Michigan and other defendants. Litigation continues against two private water engineering firms.

Prior to joining Cohen Milstein, Ms. Deich clerked for the Honorable Cornelia Pillard of the United States Court of Appeals for the D.C. Circuit. She also clerked for the Honorable Katherine Polk Failla of the U.S. District Court for the Southern District of New York, as well as the Honorable Goodwin Liu of the California Supreme Court.

Ms. Deich received her B.A. from the University of Virginia, where she graduated with highest distinction, *Phi Beta Kappa*, and received several honors, including the Lewis M. Hammond Award. Ms. Deich received her J.D. from Harvard Law School, where she graduated *magna cum laude* and won the Ames moot court competition.



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## Richard A. Koffman, Partner

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### Practice Areas

- Antitrust

### Admissions

- District of Columbia

### Education

- Yale Law School, J.D., Senior Editor, Yale Law Journal, 1990
- Wesleyan University, B.A., Honors, Phi Beta Kappa, 1986

### Clerkships & Fellowships

- Law Clerk, the Hon. James B. McMillan, United States District Court for the Western District of North Carolina, 1990-1991
- Law Clerk, the Hon. Anthony J. Scirica, United States Court of Appeals for the Third Circuit, 1991-1992

**Richard A. Koffman** is a partner at Cohen Milstein and former co-chair of the Antitrust practice. He litigates antitrust cases on behalf of the victims of corporations engaged in price-fixing, market monopolization, and other unlawful conduct.

Mr. Koffman has repeatedly been recognized as one of the world's top plaintiffs' antitrust lawyers. Mr. Koffman is named in *Global Competition Review's* "Who's Who Legal: Thought Leaders – Competition 2023" – one of only 40 plaintiffs' antitrust attorneys in the United States to earn this distinction. Since 2010, *The Legal 500* has annually named Mr. Koffman as one of the top plaintiffs' class action antitrust litigators in the United States, describing him as a "strong brief writer and an excellent oral advocate," and inducted him into *The Legal 500* Hall of Fame in 2017. Mr. Koffman was named *Law360's* Competition Law MVP (2016), recognizing him as one of the top five most influential antitrust lawyers in the United States. Annually, Mr. Koffman also is named to *Global Competition Review's* "Who's Who Legal: Competition" (since 2016), *Lawdragon's* 500 Leading Plaintiff Financial Lawyers (since 2019), and *Washington, D.C. Super Lawyers* (since 2020).

Mr. Koffman has had the honor of serving as court-appointed Lead or Co-Lead Counsel in many landmark antitrust class actions, including the *Urethanes Antitrust Litigation*, which resulted in the largest price-fixing verdict in U.S. history and the largest jury verdict of 2013.

A former Senior Trial Attorney in the U.S. Department of Justice's Antitrust and Civil Rights Divisions, Mr. Koffman views his role in litigating antitrust lawsuits as an extension of the public interest work he pursued at the DOJ in promoting competition and fighting discrimination.

### Recent case successes include:

- ***In re: Urethanes (Polyether Polyols) Antitrust Litigation (D. Kan.):*** Co-Lead Counsel for plaintiffs in an antitrust class action alleging a conspiracy to fix the prices of chemicals used to

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make polyurethane foam. Four defendants settled pre-trial for a total of \$139 million. After a four-week trial, the jury returned a \$400 million verdict for plaintiffs against the final defendant, The Dow Chemical Co., which the district court trebled to more than \$1 billion. Dow ultimately settled for \$835 million while the case was on appeal, bringing the total recovery to \$974 million – nearly 250% of the damages found by the jury.

- ***In re: Plasma-Derivative Protein Therapies Antitrust Litigation (N.D. Ill.):*** Co-Lead Counsel for plaintiffs alleging a conspiracy to reduce the supply and increase prices of IVIG and Albumin – life-saving therapies derived from blood plasma. Mr. Koffman and his team obtained settlements totaling \$128 million to compensate customers who were overcharged for these vital therapies.
- ***In re: Dental Supplies Antitrust Litigation (E.D.N.Y.):*** Co-Lead Counsel for a proposed class of dental practices and dental laboratories. The case alleges that Defendants Henry Schein, Inc., Patterson Companies, Inc., and Benco Dental Supply Company – the three largest dental supply and dental equipment distributors in the United States – fixed price margins on dental equipment, jointly pressured manufacturers to squeeze out competitors, and agreed not to “poach” each other’s employees, in violation of federal antitrust law. The Court granted final approval to an \$80 million settlement on June 24, 2019. In approving the settlement, the Honorable Brian M. Cogan of the U.S. District Court for the Eastern District of New York stated, “This is a substantial recovery that has the deterrent effect that class actions are supposed to have, and I think it was done because we had really good Plaintiffs’ Lawyers in this case who were running it.”

## Current cases include:

- ***Mixed Martial Arts (MMA) Antitrust Litigation (D. Nev.):*** Co-Lead Counsel in a class action on behalf of MMA fighters alleging that Zuffa LLC – commonly known as the Ultimate Fighting Championship – has unlawfully monopolized the markets for promoting live professional MMA bouts and for purchasing the services of professional MMA fighters. The district court denied defendant’s motion to dismiss the case in September 2015.
- ***In re: Treasuries Securities Antitrust Litigation (S.D.N.Y.):*** Co-Lead Counsel in a ground-breaking antitrust and Commodity Exchange Act class action alleging many of the nation’s biggest banks manipulated the multi-trillion-dollar market for U.S. Treasuries and related instruments.

Mr. Koffman served as a law clerk to two Federal Judges: James B. McMillan of the U.S. District Court for the Western District of North Carolina, and Anthony J. Scirica of the U.S. Court of Appeals for the Third Circuit.

Mr. Koffman attended Wesleyan University, where he received a B.A. in English, with honors, and is a member of Phi Beta Kappa. Mr. Koffman is a graduate of Yale Law School, where he was Senior Editor of the *Yale Law Journal*.

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### Practice Areas

- Antitrust

### Admissions

- California
- District of Columbia

### Education

- Stanford Law School, J.D., 2015
- University of San Diego, B.A., *magna cum laude*, 2012

### Clerkships & Fellowships

- Law Clerk, the Hon. Rosemary Collyer, District Judge, U.S. District Court

**Leonardo Chingcuanco** is an associate in Cohen Milstein's Antitrust practice, where he represents a broad range of individuals and businesses in civil litigation, with a focus on multi-district class actions and antitrust litigation.

Prior to joining Cohen Milstein, Mr. Chingcuanco served as a Law Clerk for the Honorable Rosemary Collyer of the U.S. District Court for the District of Columbia. Before that, he worked as an Associate Regional Counsel at the U.S. Environmental Protection Agency. For his work at the EPA, he received the Regional Administrator's Award for Excellence and the 2018 Regional Honor Award.

Mr. Chingcuanco earned his B.A., *magna cum laude*, from University of California, San Diego. He earned his J.D. from Stanford Law School, where he was a member of the *Stanford Law Review*.